

REMARKS

Claims 1-5 were pending in the present application. By virtue of this response, claims 1, and 2, have been amended, and new claims 6-18 have been added. Accordingly, claims 1-18 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented.

Summary of Claimed Subject Matter

In accordance with the subject matter recited in independent claims (claims 1, 2, 10, 13, and 16, and claims 3-7, 8-9, 11-12, 14-15, and 17-18, respectively dependent thereon), the chip substrate and the mount member are different components. Layers are successively stacked on the surface of the chip substrate to form the stack. The chip substrate and the stack form a semiconductor light-emitting device chip. The connection between the light-emitting device chip and the mount member is established by means of solder. As a result, the semiconductor light-emitting device final product has solder between the semiconductor light-emitting device chip and the mount member.

In accordance with some of the claims (claims 10 and 13, and claims 11-12 and 14-15, respectively dependent thereon), the semiconductor light-emitting device chip is thus formed in advance and then the semiconductor light-emitting device chip is connected to the mount member such that the stack-formed side of the chip abuts on the mount member.

Claims 16-18 are discussed separately, within the section entitled "Allowable Subject Matter."

Anticipation Rejections -- Hatano

Claims 1-3 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Hatano et al. (U.S. Patent No. 5,432,808). It is respectfully submitted that the claims (both the new claims and the previously-pending claims, as amended) are not anticipated by Hatano. Applicant thus respectfully traverses the anticipation rejection over Hatano.



The Examiner contends that the sapphire substrate 121 of Hatano corresponds to the mount member recited in the claims. However, the layers which the Examiner contends constitutes the stack are successively stacked directly on the upper surface of the supposed mount member 21. Hatano discloses nothing corresponding to the chip substrate as recited in the claims. Moreover, Hatano does not disclose that the mount member is connected to the semiconductor light-emitting device chip by solder.

Since Hatano does not disclose each and every element of the presently-pending claims, the subject matter of the claims is not anticipated by Hatano. The anticipation rejection using Hatano should be withdrawn.

Anticipation Rejections -- Kobayashi

Claim 2 is rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Kobayashi et al. (U.S. Patent No. 6,455,342). It is respectfully submitted that the claims (both the new claims and the previously-pending claims, as amended) are not anticipated by Kobayashi. Applicant thus respectfully traverses the anticipation rejection over Kobayashi.

The Examiner considers the p-side electrode 14 as corresponding to the mount member recited in the claims. However, no solder is present between this mount member and the semiconductor light-emitting device chip. Thus, Kobayashi does not anticipate amended claim 2 or any of the presently-pending claims. The anticipation rejection using Kobayashi should be withdrawn.

Obviousness -- Hatano

Claim 4 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hatano et al. Applicant respectfully traverses the rejection.

First, as discussed above, amended claim 1 (upon which claim 4 is dependent) and, in fact all of the presently-pending claims include the feature that solder is present between the mount member and the semiconductor light-emitting device chip. It is also discussed that Hatano does not



disclose this feature. Furthermore there is nothing to suggest modifying Hatano to include this feature.

Furthermore, the Examiner has not set forth a proper *prima facie* case of obviousness with respect to the feature of the mount member including at least one of iron and cooper. The Examiner asserts that this improves thermal conductivity. However, there is nothing in Hatano (particularly at col. 1, line 60 cited by the Examiner) that would motivate one of ordinary skill in the art to modify the Hatano disclosure (which, the Applicant concedes, does not disclose a mounting member include at least one of iron and copper) to include such a feature. Thus, the obviousness rejection is improper and should be withdrawn.

Allowable Subject Matter

Applicant appreciates that Examiner's indication that claim 5 would be allowable if rewritten in independent form. Applicant has done so as a new independent claim -- claim 16. In addition, new claims 17 and 18 (dependent thereon) correspond to original claims 3 and 4.



CONCLUSION

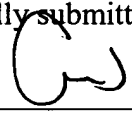
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conversation would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 245402004500.

However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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